



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,765	11/21/2001	Stephen John Hinde	B-4399 619337-2	1895

22879 7590 03/15/2005

HEWLETT PACKARD COMPANY  
P O BOX 272400, 3404 E. HARMONY ROAD  
INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

MARTIN, CIARA A

ART UNIT PAPER NUMBER

2157

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/990,765

Applicant(s)

HINDE ET AL.

Examiner

Ciara Martin

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) 24-26, 52-54 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to the application filed on November 21, 2001. Claims 1-61 are pending. Of these claims, claims 24-26 and 52-54 are withdrawn from consideration. The remaining claims represent a method and system for voice communication with a local entity over a wireless network.

### ***Claim Objections***

2. Claim 23 is objected to because of the following informalities: the word "customise" is misspelled. It should be replaced with the word "customized".  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimball U.S. Patent No. 5,953,322 in view of Kurganov U.S. Patent No. 6,807,257 B1 in further view of Gabai et al. U.S. Patent No 6,773,344 B1.

Art Unit: 2157

5. Kimball teaches the invention substantially as claimed including cell phone communication over a network with hardware and telephone number identifiers (see abstract).

6. As per claims 1 and 35, Kimball teaches a system for enabling verbal communication (see column 2 lines 34-58; Kimball discloses performing telephone calls and exchanging data packets due to the telephone call, it is obvious this is verbal communication).

Kimball also teaches:

a. user equipment, intended be carried by a user, comprising a wireless communication subsystem, an audio output arrangement, and a contact-data transfer arrangement transmitting contact data (see column 1 lines 54-60 and column 2 lines 34-58; Kimball discloses a cellular telephone used by a user with a voice signal, a communications network used by the cellular telephone, and a base station for exchanging data packets with a cell phone identifier field, the cell phone identifier field is contact data and the communications network is a wireless network).

b. communications infrastructure comprising least a wireless network with which the wireless communication subsystem of the user equipment can communicate (see column 2 lines 34-46, Kimball discloses a communications networks in use by the cellular telephone, it is obvious the network is a wireless network).

c. a contact-data receiving device operative to receive contact data from the contact-data transfer arrangement of the user equipment being further operative pass received contact data (see column 2 lines 47-64; Kimball discloses a base station which transmits data packets with a cell phone identifier field to and from the cellular phone, the cell phone identifier field is the contact data and the base station is the receiving device).

Kimball fails to teach:

d. a voice service providing voice output signals

However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach a local entity. However, Gabai teaches a network-controlled toy system and a user in proximity to the toy (see column 16 lines 7-17, 55-57; the toy is a local entity to the user).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai by adding a toy or another familiar object to the communication infrastructure because this would make the environment user-friendly.

Art Unit: 2157

7. As per claims 2 and 36, the contact data is a data connection address for the user's equipment (see column 3 lines 12-28; Kimball discloses the voice-call data packet contains an identifier field with a unique cell phone hardware identifier, the cell phone identifier field is the contact data and the connection address is the hardware identifier).

8. As per claims 3 and 36, the contact data is a telephone number of the telephone functionality incorporated into the user's equipment (see column 3 lines 12-28; Kimball discloses the voice-call data packet contains a cell phone identifier field with a telephone number, the identifier field is the contact data).

9. As per claims 4 and 38, the contact data is user-specific data for translation by an element of the communications infrastructure into an access number or address of the user's equipment (see column 3 lines 12-28; Kimball discloses compressed voice-call data packets with identifier fields between the cellular telephone and a device coupled to the network, the identifier fields are contact data, the device coupled to the network is the element of the communications infrastructure which decompresses or translates the contact data).

10. As per claims 5, 7, 9 and 39, Kimball teaches spoken dialog with voice input by the user through the audio input arrangement forming part of the user equipment and voice output to the user through the audio output arrangement (see column 1 lines 54-60 and column 5 lines 40-47; Kimball discloses a cellular telephone with a voice signal from a user via a microphone and speaker subsystem, the microphone subsystem is the audio input arrangement and the speaker subsystem is the audio output arrangement).

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of resources on the network to a user with a primarily voice-driven device.

11. As per claims 6 and 40, Kimball teaches a dialog (see column 2 lines 34-58; Kimball discloses performing telephone calls and exchanging data packets due to the telephone call, it is obvious this is a dialog).

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach the entity is represented in first person terms. However, Gabai teaches human interaction with an object so that the user thinks he is speaking with another human. It is obvious that for a user to think an interaction with an object is

Art Unit: 2157

an interaction with another human, the object is represented in first person terms (see column 51 lines 2-8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai by adding a toy or another familiar object to the communication infrastructure because this would make the environment user-friendly.

12. As per claim 8, Kimball teaches voice input by the user and voice output being effected using a sound output device forming part of the user's equipment (see column 1 lines 54-60 and column 5 lines 40-47; Kimball discloses a cellular telephone with a voice signal from a user via a microphone and speaker subsystem, the microphone subsystem is the audio input arrangement and the speaker subsystem is the audio output arrangement).

Kimball fails to teach voice output by the service voice and input connected with the voice service through the communications infrastructure independently of the user's equipment. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of resources on the network to a user with a primarily voice-driven device.



Kurganov fails to teach voice input being through at least one local sound input device that is associated with the locality of the entity rather than with the user.

However Gabai, teaches the interactive toy is equipped with one or more speakers with it uses to transfer information to the user through sound (see column 20 lines 14-32).

It would have been obvious to one of ordinary skill in the art to modify Kurganov in view of Gabai by adding an interactive toy or another familiar object to the to the communication infrastructure because this 'talking' object would make the environment user-friendly.

13. As per claims 10, 11, 41 and 51, Kimball teaches an audio output arrangement that comprises multiple audio output devices in the form of headphones worn by the user, and a controller for controlling excitation of the headphones (see column 1 lines 54-60 and column 5 lines 40-47; Kimball discloses a cellular telephone with speaker subsystem, the speaker subsystem is the audio output arrangement, headphones and headphone controllers are part of a speaker subsystem).

Kimball fails to teach to produce a sound output that appears to the user to emanate from the location of said local entity independently of the user's position and head orientation relative to the entity. However, Gabai teaches an interactive toy (or inanimate object) is equipped with one or more speakers with it uses to transfer information to the user through sound, the speakers are independent of the user's position and head orientation (see column 20 lines 14-32).

It would have been obvious to one of ordinary skill in the art to modify Kimball in view of Gabai by adding the object to the audio output arrangement because the user would communicate with a familiar entity and thus the system would be user-friendly.

14. As per claim 12, multiple sound output devices are loudspeakers and excitation of the loudspeakers (see column 1 lines 54-60 and column 5 lines 40-47; Kimball discloses a cellular telephone with speaker subsystem, the speaker subsystem is the audio output arrangement, loudspeakers and excitation of the loudspeakers are part of a speaker subsystem).

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach the entity and the excitation of the loudspeakers being controlled in dependence on the relative positions of the user and the entity. However, Gabai teaches an interactive toy (or inanimate object) is equipped with one or more speakers with it uses to transfer information to the user through sound, the speakers are independent of the user's position and head orientation (see column 20 lines 14-32).

Art Unit: 2157

Gabai also teaches geographically locating both the object and user (see column 20 lines 50-52 and 65-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai by adding the object to the audio output arrangement because the user would communicate using a user-friendly system that can locate both the user and the object.

15. As per claims 13, 15, 16 and 42, Kimball teaches user voice input received as voice signals, a dialog manager for effecting dialog control on the basis of voice output (see column 1 lines 54-60, column 2 lines 34-58 and column 5 lines 40-47; Kimball discloses a cellular telephone with a voice input as voice signal from a user and performing telephone calls and exchanging data packets due to the telephone call, it is obvious this is a dialog).

Kimball fails to teach:

the voice service arrangement comprises:

- a. a voice page server for serving voice pages in the form of text with embedded voice markup tags;

a voice browser comprising:

- a. a speech recognizer for carrying out speech recognition of;
- b. from the speech recognizer and pages served by the voice page server;
- c. a text-to-speech converter operative to convert voice pages into voice output signals.

Art Unit: 2157

Gabai also teaches geographically locating both the object and user (see column 20 lines 50-52 and 65-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai by adding the object to the audio output arrangement because the user would communicate using a user-friendly system that can locate both the user and the object.

15. As per claims 13, 15, 16 and 42, Kimball teaches user voice input received as voice signals, a dialog manager for effecting dialog control on the basis of voice output (see column 1 lines 54-60, column 2 lines 34-58 and column 5 lines 40-47; Kimball discloses a cellular telephone with a voice input as voice signal from a user and performing telephone calls and exchanging data packets due to the telephone call, it is obvious this is a dialog).

Kimball fails to teach:

the voice service arrangement comprises:

- a. a voice page server for serving voice pages in the form of text with embedded voice markup tags;

a voice browser comprising:

- a. a speech recognizer for carrying out speech recognition of;
- b. from the speech recognizer and pages served by the voice page server;
- c. a text-to-speech converter operative to convert voice pages into voice output signals.

However, Kurganov teaches a voice server that includes telephony, automatic speech recognition, and text-to-speech functionalities (see column 3 lines 24-25 and column 5 lines 34-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of resources on the network to a user with a primarily voice-driven device.

15. As per claims 14 and 43, Kimball teaches the user-related contact data serves to identify the user, the receiving device being arranged to pass this contact data directly or indirectly over the communications infrastructure (see column 3 lines 12-28 and column 2 lines 47-64; Kimball discloses a base station which transmits voice-call data packets which contain an identifier field, the identifier fields are contact data, the identifier field identifies the user equipment, and the base station is the receiving device.

Kimball fails to teach a voice browser that looks up an access number or address for the user's equipment. However, Kurganov teaches a system which looks up contact numbers for the user regardless of their location and has a speech recognition used in conjunction with a web page. It is obvious that a web page with speech recognition is a voice browser (see column 3 lines 24-35, and column 6 lines 18-26, 33-28).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov to add the voice browser functionality to the communications network because this would facilitate the use of resources on the network to a user with a primarily voice-driven device.

Art Unit: 2157

16. As per claims 17, 18, 19, 45, 46 and 47 Kimball teaches a mobile phone, contact data comprises information for contacting the user's equipment, the receiving device being operative to pass contact data with a URL (see column 1 lines 54-60, column 2 lines 47-64, column 3 lines 12-28, column 4 lines 38-40; Kimball discloses a cellular telephone used by a user, a voice-call data packet which contains an identifier field, a base station which transmits the data packets to and from the cellular phone using Internet communication protocols. The identifier fields are contact data, the identifier field identifies the user equipment and is used to contact the cellular phone, the base station is the receiving device, it is obvious the URL of the voice service is known because IP packets are used to communicate).

Kimball fails to teach the voice service and the voice browser being responsive to receiving the contact data to contact the mobile phone using a voice circuit or data connection that is then used for voice input and output between the user and voice browser.

However, Kurganov teaches a voice server and browser with speech recognition and text-to-speech functionalities. The server passes the contact information to the browser (see column 3 lines 12-28). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov to add the voice browser functionality to the communications network because this would facilitate the use of resources on the network to a user with a primarily voice-driven device.

16. As per claims 20 and 48, Kimball teaches the user's equipment with a voice browser, the receiving device being arranged to pass the user-related contact data, and

Art Unit: 2157

a data-capable bearer service (see column 1 lines 54-60, column 2 lines 34-58 and 47-64, column 3 lines 40-49 Kimball discloses a cellular telephone capable communicating voice-calls using Internet data packets, a communications network, and a base station which transmits data packets with a cell phone identifier field. The communications network is data-capable bearer service, the base station is the receiving device the cell phone identifier field is the contact data, and the cellular phone has a voice browser).

Kimball fails to teach the voice page server. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate communication between the voice server and the user with a primarily voice-driven device.

17. As per claims 21, 49 and 50, Kimball teaches the wireless network is a proprietary-space local network (see column 2 lines 34-46, Kimball discloses a communications networks in use only by the cellular telephone, it is obvious the network is a proprietary-space local network).

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach a local entity being located in the proprietary-space concerned. However, Gabai teaches a network-controlled toy system and a user in proximity to the toy (see column 16 lines 7-17, 55-57; the toy is a local entity to the user).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai by adding a toy or another familiar object to the communication infrastructure because this would make the environment user-friendly.

16. As per claim 22, Kimball teaches the user equipment includes a wireless headset which is used for exchanging voice input and output (see column 1 lines 54-60 and column 5 lines 40-47; Kimball discloses a cellular telephone with a voice signal from a user via a microphone and speaker subsystem, the microphone subsystem is the audio input arrangement and the speaker subsystem is the audio output arrangement. A headset is part of a speaker subsystem).

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).



It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of resources on the network to a user with a primarily voice-driven device.

18. As per claim 23, Kimball teaches the identity of the user (see column 3 lines 12-28; Kimball discloses the voice-call data packet which contain an identifier field).

Kimball fails to teach the voice service and using the contact data to look up user profile data which is then used to customise the voice service to the user. However, Kurganov teaches a voice service which is customized to the user (see column 3 lines 24-35 and column 6 lines 53-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of customized resources on the network to a user with a primarily voice-driven device.

19. As per claims 27 and 55, Kimball teaches the receiving service is operative to pass contact data (see column 2 lines 47-64; Kimball discloses a base station which transmits the data packets with identifier fields, the identifier fields of the packets are contact data).

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of customized resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach a local entity and parameter values of the entity. However, Gabai teaches a network-controlled toy system and a user in proximity to the toy. In addition Gabai teaches being able to track the location of the toy (see column 16 lines 7-17, 55-57, column 20 lines 50-53; the toy is a local entity to the user, and in order to track the location of the toy coordinate values are needed, the coordinate values are the parameter values).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai by adding a toy or another familiar object to the communication infrastructure and the ability to track the location of the object because this would make the environment user-friendly and utilize the location coordinates to adjust the voice output from the voice service.

20. As per claims 28 and 56, Kimball teaches control data (see column 3 lines 12-28; Kimball discloses data packets with a service type field, the service type field contains control data).

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of customized resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach controllable functionality on the local entity. However, Gabai teaches an object with controllable motion (see column 20 lines 14-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai to add the local entity with controllable motion because this would make the object, in this case a toy, move in coordination with the voice output from the voice service and thus seem more life-like and user-friendly.

21. As per claims 29 and 57, Kimball teaches control data (see column 3 lines 12-28; Kimball discloses data packets with a service type field, the service type field contains control data).

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of customized resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach a mouth representation device associated with the local entity. However, Gabai teaches a teddy bear toy with controllable motion with interactive speaking through its mouth (see column 20 lines 14-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai to add the local entity with controllable motion with interactive speaking because this would make the object, in this case a toy, move its mouth in coordination with the voice output from the voice service and thus seem more life-like and user-friendly.

22. As per claim 30, Kimball teaches the receiving device (see column 2 lines 47-64; Kimball discloses a base station which transmits data packets, the base station is the receiving device).

Kimball fails to teach a mouth representation device. However, Gabai teaches a teddy bear toy with controllable motion with interactive speaking through its mouth (see column 20 lines 14-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai to add the local entity with controllable motion with interactive speaking because this would make the object, in this case a toy, move its mouth in coordination with the voice output from the voice service and thus seem more life-like and user-friendly. Because the base station transmits the data packets it is obvious the mouth representation device is incorporated into it.

23. As per claims 31 and 58, Kimball teaches a user (see column 1 lines 54-60; Kimball discloses a user using a cellular telephone).

Kurganov fails to teach a mouth representation device associated with the local entity. However, Gabai teaches a teddy bear toy with controllable motion with interactive speaking through its mouth (see column 20 lines 14-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai to add the local entity with controllable motion with interactive speaking because this would make the object, in this case a toy, move its mouth in coordination with the voice output from the voice service and thus seem more life-like and user-friendly.

22. As per claim 30, Kimball teaches the receiving device (see column 2 lines 47-64; Kimball discloses a base station which transmits data packets, the base station is the receiving device).

Kimball fails to teach a mouth representation device. However, Gabai teaches a teddy bear toy with controllable motion with interactive speaking through its mouth (see column 20 lines 14-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai to add the local entity with controllable motion with interactive speaking because this would make the object, in this case a toy, move its mouth in coordination with the voice output from the voice service and thus seem more life-like and user-friendly. Because the base station transmits the data packets it is obvious the mouth representation device is incorporated into it.

23. As per claims 31 and 58, Kimball teaches a user (see column 1 lines 54-60; Kimball discloses a user using a cellular telephone).

Art Unit: 2157

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of customized resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach determining the orientation of the local entity as perceived from the user's current location. However, Gabai teaches locating a user with a GPS device on interactive toy and determining the position of another object. In order to know the position of another object the interactive toy must know its own orientation (see column 40 lines 12-23 and 53-62).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai to add the entity with orientation functionality in respect to the user because this would facilitate in making the sound output from the voice service depend on the orientation of the entity and thus make it seem more life-like and user-friendly.

24. As per claims 32 and 59, Kimball teaches a user (see column 1 lines 54-60; Kimball discloses a user using a cellular telephone).

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give

Art Unit: 2157

voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of customized resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach an arrangement for determining the orientation of the user relative to the entity. However, Gabai teaches determining the direction which a user faces (see column 40 lines 38-52). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai to add the functionality of determining the direction which a user faces to the arrangement so that the sound output from the voice service depend on the orientation of the user and thus make it seem more life-like and user-friendly.

25. As per claims 33 and 60, Kimball teaches a user (see column 1 lines 54-60; Kimball discloses a user using a cellular telephone).

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the

Art Unit: 2157

communications network because this would facilitate the use of customized resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach an arrangement for determining the line of approach of the user relative to the entity. However, Gabai teaches determining the direction which a user faces (see column 40 lines 38-52). It is obvious that to know the direction which a user faces, the line of approach of the user must be known.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai to add the functionality of determining the direction which a user faces to the arrangement so that the sound output from the voice service depend on the line of approach of the user and thus make it seem more life-like and user-friendly.

26. As per claim 34 and 61, Kimball teaches multiple receiving devices (see figure 1, column 2 lines 47-64, and column 5 lines 31-38); Kimball discloses two base stations which transmit data packets to and from the cellular phone, the base stations are the receiving devices). Kimball also teaches user equipment and contact data (see column 1 lines 54-60 and column 2 lines 47-64; Kimball discloses a cellular telephone used by a user with a voice signal, and data packets with an identifier field, the identifier field contains contact data).

Kimball fails to teach the voice service. However, Kurganov teaches a voice server with telephony, speech recognition, text to speech functions where users give voice commands and the system talks back (see column 3 lines 24-35 and column 6 lines 46-67).



It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of customized resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach a local entity. However, Gabai teaches a network-controlled toy system and a user in proximity to the toy (see column 16 lines 7-17, 55-57; the toy is a local entity to the user).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai by adding a toy or another familiar object to the communication infrastructure so that the sound output would depend on which of the receiving devices received the contact data. This in turn would make the sound arrangement more impacting to the user.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ciara Martin whose telephone number is 571-272-7507. The examiner can normally be reached on M-F 6:30- 4:00 with second Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kimball in view of Kurganov by adding a voice server system to the communications network because this would facilitate the use of customized resources on the network to a user with a primarily voice-driven device.

Kurganov fails to teach a local entity. However, Gabai teaches a network-controlled toy system and a user in proximity to the toy (see column 16 lines 7-17, 55-57; the toy is a local entity to the user).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kurganov in view of Gabai by adding a toy or another familiar object to the communication infrastructure so that the sound output would depend on which of the receiving devices received the contact data. This in turn would make the sound arrangement more impacting to the user.

### ***Conclusion***

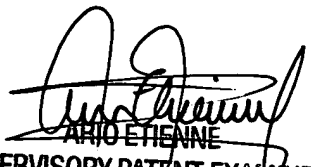
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ciara Martin whose telephone number is 571-272-7507. The examiner can normally be reached on M-F 6:30- 4:00 with second Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CM  
3/7/05

  
ARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 210